

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

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**IN RE: AQUEOUS FILM-FORMING  
FOAMS PRODUCTS LIABILITY  
LITIGATION**

MDL No. 2:18-mn-2873-RMG

**Motion to Amend Case Management**

**Order No. 12**

**This Order relates to ALL CASES**

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**JOINT MOTION TO AMEND CASE MANAGEMENT ORDER NO. 12**

The Plaintiffs’ Executive Committee (“PEC”) and the Defendants listed in CMO 12, paragraph 4 (“Stipulating Defendants”) respectfully request that the Court amend Case Management Order No. (“CMO”) 12 [ECF No. 802] to extend the deadline by which a case pending in, or pending transfer into, this MDL as of August 6, 2019, has to make a motion to add a new party where the parties have previously entered into an agreement to toll the applicable statute of limitations pursuant to CMO 3E [ECF No. 764] and CMO 12.

CMO 3E provides that any such motion to add new parties must be filed by September 25, 2020 without prior leave of Court. CMO 12 provides additional time, until March 3, 2022, to add certain parties who had agreed with the PEC to toll claims. As noted above, those parties are listed in CMO 12, Paragraph 4, and are referred to herein as the Stipulating Defendants. CMO 12 was amended in Paragraph 8 by CMO 12A [ECF No. 2203], extending the Tolling Period to December 31, 2022.

Pursuant to Paragraph 8 of CMO 12, this motion seeks to amend Paragraph 7 of CMO 12 only—the duration of the Tolling Period. The PEC and the Stipulating Defendants hereby agree to extend the Tolling Period set forth in CMO 12 until June 30, 2023. This motion does not seek to modify any other provision of CMO 12; all other provisions remain in effect.

A proposed Case Management Order No. 12B was previously submitted to the Court on December 13, 2022.

**CONCLUSION**

For the foregoing reasons, Plaintiffs respectfully requests that the Court grant its Motion to Amend CMO 12.

Dated: December 22, 2022

s/Fred Thompson III  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 22, 2022, a true and correct copy of the foregoing Plaintiffs' Motion to Amend Case Management Order No. 12 was served via electronic mail upon the following:

s/ Fred Thompson III